

Law on News Secrecy Is Attacked as Illegal

By Thomas W. Lippman
Washington Post Staff Writer

ANNAPOLIS, Nov. 15—The scope of an 1896 Maryland law allowing newsmen to refuse to disclose their sources was debated before the Court of Appeals today in a case involving an abortive investigation into alleged zoning irregularities in Montgomery County.

Assistant Attorney General S. Leonard Rottman asked the court to overrule a Montgomery judge's decision that Walter J. Sheridan, an investigative reporter for the National Broadcasting Company, was within his rights in refusing to divulge to a grand jury his conversation with a figure in the zoning case.

Montgomery Circuit Judge Walter H. Moorman rejected the jury's request last November that he force Sheridan to testify. The jury then announced its investigation was thwarted by the ruling and the appeal was filed.

Rottman contended today that the law applies only to the name of a newsman's

source, not to the information he obtains. He told the judges that they should make a definitive interpretation of the law because "newspapers are getting more and more involved in investigation."

As amended in 1949, Maryland's law says "no person engaged in, connected with or employed on a newspaper or journal or for any radio or television station shall be compelled to disclose . . . the source of any news or information procured or obtained by him and published in the newspaper or disseminated by the radio or television station."

It has traditionally been used by reporters to preserve the anonymity of their sources, but when Sheridan appeared before the grand jury, the identity of his source was not at issue. Leonard T. Kardy, who then was State's attorney, asked him if he had had any conversations with Kenneth Patrick, former manager of the late Bernard N. Siegel's River Road Country Club.

Sheridan said he had, but re-

fused to reveal what was said. The grand jury was investigating possible irregularities in a rezoning granted to Siegel by the former County Council in 1963.

Rottman told the court that the privilege statute should be "strictly interpreted" to protect only the name of the source, not the information.

Herbert J. Miller Jr., Sheridan's attorney, argued that "such an interpretation would reduce the statute almost to a absurdity. It would require a newsman to divulge all information given him whenever the interrogator could name someone to whom the newsman had talked."

Although the grand jury involved in the zoning investigation was dissolved last March, it recommended the inquiry be continued. William A. Linthicum Jr., who succeeded Kardy as State's Attorney in January, said today he has made no decision on what action to take if Judge Moorman is reversed.

The Court of Appeals gave no indication when it would rule in the case.

Sheridan